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VIA ECF

October 16, 2019

**MEMO ENDORSED**

Justice Katherine Polk-Failla  
U.S. District Court  
Southern District of New York  
Thurgood Marshall Courthouse  
40 Foley Square  
NY, NY 10007

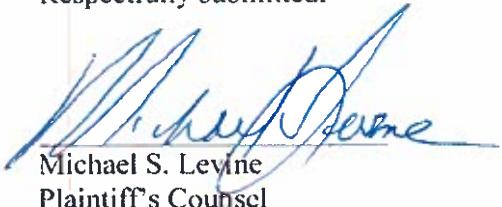
RE: DePinto v. Northrop Grumman Systems Corporation  
19 cv-00147(KPF)

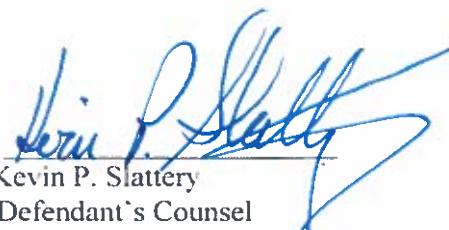
Dear Judge Polk-Failla:

This letter requesting an adjournment of the court conference scheduled for October 24, 2019 is being jointly submitted. The reason for the request is outstanding expert discovery. The orthopedic exam of the plaintiff by the defendant's expert was conducted on October 10, 2019. However, the examining doctor's report has not been received yet. Additionally, a vocational rehabilitation examination, also by one of the defendant's experts, is scheduled for October 16, 2019. Once these two exams have been completed, there should be no outstanding items of discovery.

Both sides feel that we will be in a position to engage in meaningful settlement discussions once the results of these two examinations have been exchanged. We are, therefore, requesting a one month adjournment of the conference.

Respectfully submitted,

  
Michael S. Levine  
Plaintiff's Counsel

  
Kevin P. Slattery  
Defendant's Counsel

Application GRANTED. The post-fact discovery conference previously scheduled for October 24, 2019, is hereby ADJOURNED to November 26, 2019, at 10:00 a.m., in Courtroom 618 of the Thurgood Marshall Courthouse, 40 Foley Square, New York, New York.

Dated: October 16, 2019  
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE